

MINUTES

UTAH SUBSTANCE ABUSE COUNSELOR LICENSING BOARD MEETING

October 17, 2012

Room 474 – 4th Floor – 9:00 A.M.
Heber M. Wells Building
Salt Lake City, UT 84111

CONVENED: 9:02 A.M.

ADJOURNED: 4:45 P.M.

Bureau Manager:
Board Secretary:

Richard J. Oborn
Lee Avery

Board Members Present:

Santiago Cortez, Chairperson
David Felt
Lori Buhler
Georgia Hare
David Felt
Stephen R. Sheppard, Ph.D.
Pete Prazza
Valerie Fritz

Introduction and swearing in of new Board member Valerie Fritz

The Board introduced itself. Ms. Fritz was sworn in as the new Board member. Ms. Fritz introduced herself.

DOPL Staff Present:

Susan Higgs, Compliance Specialist

Guests:

Janet Jensen, Attorney

TOPICS FOR DISCUSSION

DECISIONS AND RECOMMENDATIONS

ADMINISTRATIVE BUSINESS:

Minutes:

The Board reviewed the July 11, 2012 Board meeting minutes. Mr. Felt motioned to accept the minutes, seconded by Ms. Hare. The motion carried unanimously.

COMPLIANCE REPORT:

Susan Higgs Compliance Specialist

#1. Ms. Julie Kopaunik-Berg is in compliance with her stipulation. Ms. Berg is requesting early

termination and has submitted her support letters. She has completed all terms of her probation and has submitted all documents accordingly.

Discussion:

The Board discussed releasing her from probation. She has completed over half of her probation and has been in compliance with her stipulation during most of the probation term.

#2. Mr. Ramone Christian is in compliance with his stipulation. His drug screens have been negative. He submitted 3 supervisor reports. His supervisor is Leslie Riggs Arnold and he submitted her CV.

#3. Ms. Catherine Cartisano is in compliance with her stipulation. She submitted her 12 step attendance through September 12. She missed 2 check-ins. All UAs are negative.

#4. Ms. Riggin is in compliance with her stipulation. She is working part time at Odyssey House and full time outside the field. She submitted her support group attendance. All drug screens are negative.

Discussion:

The Board reviewed a letter from Ms. Riggin's supervisor, Ms. Gallegos. The Board discussed amending her amendment to require therapy.

#5. James Gibson is not in compliance with his stipulation. He missed a drug screen. He also had a drug screen that was dilute. He submitted 12 step-attendance for June, July, August and September. He has not submitted any supervisor reports for July, August and September. He is attending 2 support groups a month.

Discussion:

The Board discussed having Mr. Gibson submit only one report stating he is not working in the field and then a report when he starts working in the field. If he is not working in the field, he continues with support groups and drug screens; however, the term of his probation stops until he starts working in the field

again.

#6. Gretchen Gibson is in compliance with her stipulation. She had 2 drug screens, one was negative, one was dilute. She attends 12 step attendance for July, August, and September. She is attending at two support groups a month. She submitted her self assessment on line and two positive supervisor reports. Her supervisor reports are being signed by Eric Schmidt.

#7. Ms. Nish is in compliance with her stipulation. She has submitted all supervisor evaluations and therapy reports.

#8. Mr. Michael Garrett is not in compliance with his stipulation. He submitted his supervisor report for July but not for October. He entered his support group attendance online in Affinity. He disclosed to Ms. Higgs that he abused drugs on two occasions. He was asked to bring a written statement to the Board meeting for the Board to review.

Discussion:

The Board reviewed his supervisor report. The report noted that he may have boundary issues with a clients. His probation was scheduled to complete his probation term next month. The Board expressed an interest in suspending Mr. Garrett's license because of the following:

1. Failed to submit October report on time.
2. Unfavorable supervisor report; and
3. Admitted to relapsing.

APPOINTMENTS:

Ms. Julie Kopaunik-Berg, probation interview

Ms. Berg met with the Board. Mr. Felt conducted the interview. Ms. Berg stated things are going well, no changes. Ms. Berg advised the Board that she is asking to be released from probation early. Her probation is due to end 1/28/2013. The Board noted how well Ms. Berg has been doing. **Mr. Felt motioned to remove her from probation, seconded by Ms. Hare. The motion carried unanimously.**

Mr. Ramone Christian, probation interview

Mr. Christian met with the Board. Mr. Prazza conducted the interview. Mr. Christian stated he feels like he is doing well. He is progressing in a lot of areas of his life. He continues with recovery in his personal life. He is attending one or two support meetings a week, sometimes he will attend more. He meets with his sponsor one or two times a month. Mr. Felt motioned to approve his supervisor, seconded by Ms. Fritz. The motion carried unanimously. Mr. Felt motioned to allow Mr. Christian to have a phone interview for the January meeting, and physically meet with the Board in April as long as he stays in compliance with his stipulation, seconded by Ms. Hare. The motion carried unanimously. Mr. Christian advised the Board that he continues working at Southwest Horizon House. He works in the residential part. The Board will have a phone interview with Mr. Christian on January 23, 2013. **Mr. Christian is in compliance with his stipulation.**

Ms. Catherine Cartisano, probation interview

Ms. Cartisano met with the Board. Ms. Buhler conducted the interview. Ms. Cartisano advised the Board that things are going well. The Board noted that she missed 2 check ins; however, drug screens were negative. Ms. Cartisano stated she thought she requested off from September 21 to October 1 because of her trip to Lake Powell; however, the Division could not find a record of this. The Board noted that her supervisor reports for both First Step and CLD3 were submitted and are positive. Ms. Cartisano submitted her 12 step attendance documentation. Ms. Cartisano stated that she joined NAADAC. She is in school working towards her BA in SW. Her goal is to attend the MSW program at SUU. The Board encouraged her to make sure any MSW program she attends is CSWE accredited. The Board wants her support group reports submitted monthly and her supervisor reports submitted quarterly. The Board asked to see Ms. Cartisano on January 23, 2013. **Ms. Cartisano is in compliance with her stipulation.**

Ms. Lilia January Riggin, probation interview

Ms. Riggin met with the Board. Dr. Sheppard conducted the interview. Ms. Riggin advised the Board that she resigned from the Davis Behavioral Health Woman's Recovery Center. The Board reviewed the letter from Ms. Riggins' supervisor from

Davis Behavioral Health, Ms. M. Natalie Gallegos, LCSW. Ms. Riggin expressed her concerns with Ms. Gallegos. Ms. Riggin stated she will be celebrating 6 years clean. She continues to attend 12 step fellowship, stays in contact with her sponsor and talks with family and friends for support. She is working as a waitress and at Odyssey House as a support staff. Ms. Riggin stated she has some self-esteem issues from her past and is working on her accountability regarding her actions with her previous supervisor. The Board encouraged Ms. Riggin to seek individual therapy. There are resources available to her, even without insurance. The Board advised Ms. Riggin that she failed to call the drug screen line several times. The Board encouraged her to seek out resources that are available to her. Ms. Riggin stated she needs to do some self-work before returning to work in the field. Mr. Felt motioned to amend her stipulation to include admissions of unprofessional conduct and violations of stipulation, therapy and therapy reports, pre approved by Board. This stipulation is to be signed no later than the January 30, 2013 Board meeting. The motion was seconded by Ms. Hare and carried unanimously. The Board encouraged Ms. Riggin to submit a proposed therapist and submit their CV for the Board to review at the January 23, 2013 Board meeting. The Board asked to see Ms. Riggin on January 23, 2013. **Ms. Riggin is not in compliance with her stipulation.**

Mr. James Gibson, probation interview

Mr. Gibson met with the Board. Mr. Prazza conducted the interview. The Board advised Mr. Gibson that he is out of compliance with his stipulation. His drug screens were negative but dilute. He missed a drug screen on 10/11/12 and three check-ins. Mr. Gibson stated that on 10/11/12 he went to a facility he had not been to before and they require that you be there two hours before closing. He was there one hour before closing and they would not let him test. He has no excuse for missing the call-ins. Mr. Gibson stated he started a new business and he has been focusing a lot on this. The Board advised Mr. Gibson that he could work in the field and work in his business as long as he stays in compliance with his stipulation. While he is not working in the field, he is not working the time off his term of probation. The

Board encouraged Mr. Gibson to consider his options. If he wants to get back into compliance with the Board, he will need to submit the July, August and September supervisor reports, attend a support group two times a month and do the drug screens. The Board asked to see Mr. Gibson on January 23, 2013.

Mr. Gibson is not in compliance with his stipulation.

Ms. Gretchen Gibson, probation interview

Ms. Gibson met with the Board. Ms. Hare conducted the interview. The Board advised Ms. Gibson that she has had 2 dilute UAs. Ms. Gibson stated that things are going well. She will submit her prescription for the medication she is taking. Ms. Gibson advised the Board that she needs to change supervisors and obtain Board approval for Spencer Palmer, CSWI, to supervise her. The Board advised her that she needs to be supervised by a mental health therapist and if Mr. Schmidt cannot supervise her then she would need to find someone else who is licensed as a mental health therapist. Ms. Gibson stated she will keep Mr. Schmidt as her supervisor. She continues attending support group meetings. Ms. Gibson stated she drinks a lot of water and will do her UAs in the mornings. The Board asked to see Ms. Gibson on January 23, 2013. **Ms. Gibson is in compliance with her stipulation.**

Ms. Charmele Nish, probation interview

Ms. Nish and her attorney, Ms. Janet Jensen, met with Board. Mr. Cortez conducted the interview. Ms. Nish advised the Board that things are going well. The Board noted that there has been a good change in Ms. Nish. The Board encouraged her to attend support groups where her clients are not attending because it would be inappropriate for her to go to the same meetings as clients. The Board noted that she submitted all required supervisor evaluations and therapy reports. The Board advised Ms. Nish that her employer reports need to continue to be submitted to the Board on a monthly basis for now. The Board asked to see Ms. Nish on January 23, 2013. **Ms. Nish is in compliance with her stipulation.**

Mr. Michael Garrett, probation interview

Discussion:

The Board reviewed the supervisor's report. At 12:39 P.M. Dr. Sheppard motioned to close the

Board meeting to discuss the character, professional competence, or physical or mental health of an individual, seconded by Mr. Felt. There were no written notes taken. There was no recording made. The Board meeting opened at 12:49 P.M.

Mr. Garrett met with the Board. Mr. Felt conducted the interview. Mr. Garrett reviewed his recent relapse with the Board. At 12:59 P.M. Mr. Felt motioned to close the Board meeting to discuss the character, professional competence, or physical or mental health of an individual, seconded by Dr. Sheppard. There were no written notes taken. There was no recording made. The Board meeting opened at 1:37 P.M. Mr. Felt motioned to recommend Mr. Garrett's license be suspended for a minimum of 3 months. Before release of the suspension of his license, the Board recommended that Mr. Garrett complete the following:

1. Obtain a current chemical dependency and psychological evaluation and the evaluator determines that Mr. Garrett is fit to practice;

2. Follow through with recommendations of the assessment; and

3. Begin individual therapy with a therapist pre-approved by the Board and Division.

The motion was seconded by Ms. Hare and carried unanimously.

The Board suggested he contact R.J. Courtney with the Alcohol and Substance Abuse Clinic at the University of Utah. The Board noted that the State Office of Rehabilitation may be able to help him with the costs. The Board asked to see Mr. Garrett on January 23, 2013. **Mr. Garrett is not in compliance with his stipulation.**

DISCUSSION ITEMS:

1. Consideration of possibility of defining required substance use disorder counselor education program curriculum in rule

Mr. Oborn advised the Board that he has been contacted by possible applicants wanting to know if they attended an accredited, online program, if they could qualify for a Utah SUDC license. The Board reviewed the following laws.

Part 5 - Substance Use Disorder Counselor Act 58-60-501. Title. 58-60-502. Definitions.
(14) "Substance use disorder education program"

means a formal program of substance use disorder education offered by an accredited institution of higher education that meets standards established by division rule.

AND

R156-60d-102. Definitions.

(12) "Substance use disorder education program", as used in Subsection 58-60-506(2)(b) and (5)(b), means college or university coursework at an accredited institution.

The Board noted that the education program attended by an applicant must be from an accredited program. Sometimes these types of programs are separate from the degree. If someone wants to have a program accredited by NAADAC, they need to provide NAADAC with their course program descriptions. NAADAC would review the information for course criteria and approve or deny the accreditation. The ICDC, Penn Foster, and Breinling Institute programs are accredited programs. The Board reviewed the above course programs and noted that under the current law, these types of programs meet requirements. The Board discussed the possibility of defining the requirement further in rule, noting that due to the recent changes if an applicant started a substance abuse program before July 1, 2012, the applicant may obtain a SUDC license with only a high school diploma or GED. The Board stated that these programs already contain courses the Board deems necessary for a substance use disorder counselor to complete. The Board noted that Utah also requires that applicants pass the ICRC or NAADAC I or II exams and the applicant must first obtain the CSUDC or ACSUDC which requires supervised experience. Mr. Felt motioned to not make any changes to the rule, seconded by Mr. Prazza. The motion carried unanimously.

2. Consideration of curriculums for substance use disorder counselor education programs license requirement: U of U, UVU, Penn Foster, ICDC, and Breinling Institute

Mr. Oborn advised the Board that he asked the University of Utah, Utah Valley University, International Career Development Center, Penn Foster and Breinling Institute to submit descriptions of their substance use disorder training programs. The Board needs to identify the differences in these courses. Individuals without 6 years of experience before July

1, 2013 will not be able to qualify for the ASUDC until they complete additional education courses and pass the NAADAC II exam, if it was not previously passed.

University of Utah course descriptions:

The Board reviewed the course descriptions for the University of Utah. The fourth semester will be for students for the advanced license.

Utah Valley University course descriptions:

The Board reviewed the course descriptions for the Utah Valley University and determined they have a curriculum for the advanced course.

International Career Development Center, ICDC, online program

The Board reviewed the course descriptions for the International Career Development Center and determined that this program does meet the requirements for the CSUDC license. The applicant still needs to pass the NAADC I exam.

Penn Foster online program

The Board reviewed the course descriptions and determined that most of these courses are computer based courses; however after looking at the total hours it was determined this program does meet the requirements for the CSUDC license. The applicant still needs to pass the NAADAC I exam.

Breinning Institute (California):

Registered Addiction Specialist Certificate (RAS) Does not have enough hours unless the applicant has completed the RASII and this would qualify them for only the CSUDC license. The applicant still needs to pass the NAADAC I exam.

3. Heather Ewers (Apo) surrender of CSUDC license

Mr. Oborn advised the Board that Ms. Ewers surrendered her license and cannot reapply for five years. She entered into a romantic and sexual relationship with one of her clients.

4. Update on possible legislation to amend Mental Health Professional Practice Act

Mr. Cortez reviewed a draft regarding possible legislation to clarify remote therapy, remote

regarding remote supervision, remote therapy and remote counseling

counseling and remote supervision in the Mental Health Professional Practice Act. Mr. Cortez noted that the proposed change would outline what remote supervision, remote therapy and remote counseling are and that the professional needs to be licensed in Utah to treat a patient in Utah.

CORRESPONDENCE:

None at this time.

Next Board Meeting:

2013 Board meetings have been tentatively scheduled
January 23, April 18, July 31, October 23

ADJOURN:

The meeting adjourned: 4:45 P.M.

Note: These minutes are not intended to be a verbatim transcript but are intended to record the significant features of the business conducted in this meeting. Discussed items are not necessarily shown in the chronological order they occurred.

Date Approved

(ss) _____
Chairperson, Utah Substance Use Disorder Counselor Board

Date Approved

(ss) _____
Bureau Manager, Division of Occupational & Professional Licensing